



PLANNING COMMISSION STAFF REPORT OCTOBER 14, 2010

Project:	VILLAS AT FLORIO (PLN2010-00272)
Proposal:	To consider a Rezoning to a new Preliminary & Precise Planned District, a Private Street, and Vesting Tentative Tract Map No. 8054 allowing a 22-lot townhouse development on a vacant 0.99-acre lot.
Recommendation:	Recommend to City Council, based on findings and subject to conditions
Location:	41482 Fremont Boulevard in the Irvington Planning Area APN: 525-0605-014-02 (See aerial photo next page)
Area:	0.99 acres (43,023 sq. ft.)
People:	Florio Development Co. (Ed Daou, President), Applicant & Property Owner Edward L. Rinehart, Architect AP Consulting Engineers, Civil Engineer Stephen Kowalski, Staff Planner (510) 494-4532; skowalski@fremont.gov
Environmental Review:	A Mitigated Negative Declaration has been prepared and circulated for this project in accordance with the California Environmental Quality Act (CEQA).
General Plan:	Medium Density Residential, 18-23 Dwelling Units per Acre
Zoning:	Existing: Planned District P-2003-18 Proposed: Planned District P-2010-272

EXECUTIVE SUMMARY

The applicant is requesting approval of a rezoning of a vacant 0.99-acre parcel to a new Preliminary and Precise Planned District (P-2010-272), as well as a Private Street and Vesting Tentative Tract Map (No. 8054) to create a 22-lot townhouse development. The proposed development would consist of four separate buildings, each measuring three stories and having a maximum height of approximately 36 feet. The townhouses would range in size from 1,229 to 1,818 square feet and contain 2-3 bedrooms each. Staff recommends that the Planning Commission recommend the project as shown in Exhibits "C" and "D" to the City Council based on the findings and subject to the conditions of approval contained in Exhibit "E".



Figure 1: Aerial Photo (2006) of Project Site and Surrounding Area.



SURROUNDING LAND USES

North: Multi-family residential, R-G-29 zone; religious facility beyond, Planned District P-2007-195

South: Single-family residential, Planned District P-83-10

East: Single-family and multi-family residential, R-G-29 zone

West: Single-family residential, R-G-24 zone

BACKGROUND AND PREVIOUS ACTIONS

The subject property previously housed two single-family homes dating back from the early 1900's, as well as a small service station constructed in the mid-1900's prior to the City's incorporation. All of these structures were eventually demolished, with the last being removed by the City in 1998 as part of a road-widening project for Fremont Boulevard.

On March 23, 2004, the City Council approved a General Plan Amendment re-designating the property from Medium Density Residential 15-18 Dwelling Units per Acre to Medium Density Residential 18-23 Dwelling Units per Acre, as well as a rezoning to establish a Preliminary and Precise Planned District allowing the development of 20 townhouse units over a podium parking garage (P-2003-18, also known as Carol Commons). The developer of Carol Commons never filed a subdivision map or building permit application for the project due the subsequent economic downturn, and the property was subsequently purchased by the present applicant. Because the present applicant is proposing two units more than what was approved for Carol Commons, a new Preliminary and Precise Planned District is required to supersede the previous Planned District approval.

PROCEDURE FOR TONIGHT'S HEARING

At tonight's hearing, the Planning Commission is charged with completing the following primary tasks:

1. Find that the Draft Mitigated Negative Declaration reflects the independent judgment of the City of Fremont and recommend adoption to City Council;
2. Consider the request for approval of the proposed Preliminary and Precise Planned District, based on findings specified in Section 8-21813 of the Fremont Municipal Code (FMC) to permit the development of a 22-unit townhouse development on the subject property;
3. Consider the request for approval of Vesting Tentative Tract Map No. 8054 and the accompanying Private Street based on findings specified in FMC Section 8-1418 of the Fremont Municipal Code to permit a 22-lot subdivision of the property.

PROJECT DESCRIPTION

The applicant is requesting approval of a rezoning of a vacant 0.99-acre parcel to a new Preliminary and Precise Planned District, a Private Street, and a Vesting Tentative Tract Map (No. 8054) for a 22-unit townhouse development. The proposal features four separate buildings, each measuring three stories and having a maximum height of 36 feet. The units will range in size from 1,229 to 1,818 square feet and contain 2-3 bedrooms each. Two-car garages will be included with each unit, with the smaller 2-bedroom units featuring a tandem parking configuration and the larger 3-bedroom units featuring a side-by-side parking configuration.

The units will be oriented outward with the garages oriented toward an inner "T"-shaped private street running the length of the development. Units 1 through 11 will face Carol Avenue and be accessible via the public sidewalk along that street, while units 12 through 22 will face the adjacent property to the north and be accessed by internal walkways (see Exhibit "C"). All units will have a partially enclosed front patio at ground level to provide each home with its own outdoor private space. The subdivision's

common area also includes a 1,427 square foot outdoor open space and a total of 11 guest parking spaces.

Off-site improvements will include public right-of-way improvements along the Carol Avenue property frontage, including curb, gutter, sidewalk, and landscape planter strips with irrigation and street trees. Full public improvements are already in place along the Fremont Boulevard property frontage, but the applicant will be required to repair and/or replace any damaged improvements and plant all new street trees for the length of the frontage.

PROJECT ANALYSIS

General Plan Conformance:

The existing General Plan land use designation for the project site is Medium Density Residential 18-23 Dwelling Units per Acre. The proposed density of the project is 22 units per acre, consistent with the prescribed density of the General Plan. In addition, the proposal is consistent with the following goals of the Land Use, Health and Safety, and Housing Elements of the General Plan:

Land Use Goal 1: *New housing development while conserving the character of the City's existing single-family residential neighborhoods.*

Housing Element Goal 2: *Ensure availability of high quality, well-designed and environmentally sustainable new housing of all types throughout the City.*

Housing Element Goal 3: *Encourage the development of affordable and market-rate housing in order to meet the City's assigned share of the regional housing need.*

Housing Element Action 3.03-E: *Encourage a mix of affordable and market-rate housing near transit.*

Health and Safety Goal 8: *An acceptable noise level throughout the community.*

Analysis: The site's location bounded by a major thoroughfare and a residential collector street on two sides and a three-story residential multi-family development directly to the north make it appropriate for a new townhouse development. The project will have its own direct access off Carol Avenue, so traffic coming and going from the development will not have to pass through the adjacent residential neighborhood to the east. The proposed height and mass of the buildings are similar in scale to the existing townhouse development directly to the north as well as some of the apartment buildings located east of the site along Carol Avenue and Roberts Avenue, so the project will not adversely alter the existing character of the neighborhood.

The project features 2- and 3-bedroom units designed to cater to first-time homebuyers and smaller households. To comply with the City's Affordable Housing Ordinance, the applicant will be required to designate 15% of the units (or 4 units) as below market rate units (BMRs) or pay the required in-lieu fees. The site is less than ½ mile from the center of the Irvington District and the confluence of a number of AC Transit bus lines, as well as the future Irvington BART station. One bus line also currently serves Fremont Boulevard adjacent to the project site. The Housing Element encourages the

establishment of high density development near transit corridors and within ½ mile of existing or planned transit stops, and the project would further this goal for the city.

The development of housing on the site adjacent to Fremont Boulevard and Carol Avenue would expose future residents to noise levels that exceed the thresholds prescribed by the Health and Safety Chapter of the General Plan for new residential development. However, a noise study was conducted as part of the project's environmental analysis which recommended the use of sound-rated construction materials for all units exposed to excessive noise levels. The recommendations of the study have been included as conditions of approval to ensure that all of the units are able to meet the standards prescribed by the General Plan (see Exhibit "E", Condition of Approval #27, Mitigation Measures 3 through 5).

Green Building Practices:

Conventional building and remodeling practices use a significant amount of natural resources and generate large volumes of waste. Debris from building construction and demolition accounts for more than 21% of the materials disposed in Alameda County landfills. "Green building" means taking steps to create buildings that are safe and healthy for people and protective of our environment. While specific methods and products may vary from project to project, the basic principles of green building apply to all types of new construction and renovation. The project has been conditioned to achieve the minimum 50 points needed to be considered by the Alameda County Waste Management Authority as a green development, which embraces the nationally recognized U.S. Green Building Council's LEED™ (Leadership in Energy and Environmental Design) Green Building Rating System.

Irvington Concept Plan Conformance:

The project conforms to the Irvington Concept Plan's goal to provide housing in a manner that respects central Irvington's role as an important commercial district in that it features three-story multi-family residential development which provides an appropriate transition between the outlying lower-density neighborhoods and the district's more intensive commercial core. In addition, it maintains the existing right-of-way improvements along Fremont Boulevard by taking its vehicular access off a less busy side street. In addition, the project is consistent with the Concept Plan's goal to provide an integrated, safe and well-designed pedestrian network in that it provides direct pedestrian access to the Fremont Boulevard sidewalk via a gated walkway to enable residents to walk to nearby retail and service uses in central Irvington.

Zoning Regulations:

The subject property is currently zoned as a Planned District (P-2003-18) for 20 residential units in a podium building with a common parking garage. The applicant is proposing to rescind the existing Planned District and replace it with a new Preliminary and Precise Planned District (P-2010-272) for 22 townhouse units.

Land Use:

The project has been designed in a manner most closely resembling the R-3-23 Multi-Family Residence zoning designation. The following table shows how the proposal conforms to the development standards applicable to a new multi-family residential development in the R-3-23 zone:

<i>Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Complies?</i>
Front Setback	20 feet ¹	13 feet	Acceptable (see footnote ¹)
Rear Setback	10 feet	14½ feet	Complies
Interior Side Setback	10 feet	12 feet	Complies
Street Side Setback	20 feet ¹	15 feet	Acceptable (see footnote ¹)
Building Height	52 feet	36 feet	Complies
Maximum Lot Coverage	50%	34%	Complies
Common Open Space	1,350 sq. ft.	1,427 sq. ft.	Complies
Private Open Space	100 sq. ft.	±110 sq. ft.	Complies

As this table shows, the project conforms to all applicable R-3-23 zoning standards excepting the front and street side setbacks requirements. The proposed front setback adjacent to Carol Avenue is 7 feet less than the standard, while the proposed street side yard adjacent to Fremont Boulevard is 5 feet less than the standard. FMC Section 2754(d)(1) allows for reductions in these two setback requirements when the project is attempting to foster a pedestrian-scaled environment. Staff supports the proposed setback reductions on the grounds that allowing them will give the project a more pedestrian-friendly feel by bringing the units and their private outdoor spaces closer to the public realm while relegating parking facilities to the interior of the site. This would both contribute to an attractive residential neighborhood environment along Carol Avenue and increase safety along the two street frontages by bringing the living space of the units in close contact to the public realm thereby giving the project a strong street presence.

Parking:

Parking for the project would exceed the minimum requirements for a new multi-family development. Pursuant to Section 8-22003 of the FMC [Required parking spaces by type of use], the minimum parking requirement is calculated based on the proposed land use, as follows:

<i>Land Use</i>	<i>Parking Ratio/Standard</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>	<i>Degree of Compliance</i>
Multi-Family Dwellings w/ 2 or more bedrooms	1.5 spaces for residents per unit; 0.5 spaces for guests per unit	33 for residents; 11 for guests	44 for residents; 11 for guests	Exceeds for residents; complies for guests

As the table above shows, the project will meet the minimum parking requirement for guest parking and exceed the requirements for residential parking by 11 spaces. Each unit will contain a two-car garage so all parking for residents will be covered, and the guest parking will be centrally provided just inside the entrance to the subdivision and adjacent to the common open space.

¹ FMC Section 8-2754(d)(1) allows the front and street side setbacks to be reduced below their respective limits in order to foster a pedestrian-friendly environment or neighborhood-scaled setting.

Design Analysis

Site Planning: The proposed subdivision design incorporates a single “T”-shaped, double-loaded private street with the townhomes constructed in two parallel rows on either side of the street. The eleven units along the southern row are oriented towards Carol Avenue and take access from the avenue’s sidewalk, while the eleven units along the northern row are oriented northward and share access from an internal walkway leading out to Fremont Boulevard. Guest parking and a common outdoor open space bisect the two rows of units in the center of the development. Trash bin storage areas are provided in the garages of each unit, while personal storage spaces are provided on the ground floor under the first floor staircases.

To prevent unwanted cut-through foot traffic across the site, the project will have a locked gate at the access point from the Fremont Boulevard sidewalk that will be for resident access only. Public access to the site will be provided via a concrete walkway alongside the driveway off Carol Avenue. The ends of the private drive will be heavily planted with ornamental landscaping and will contain flow-through planters for stormwater runoff treatment. The property frontage along Fremont Boulevard will also be finished with a convex stucco wall topped with decorative metal railing and a wooden trellis to screen the private street from the boulevard.

Architecture: The project is a townhome-style development consisting of 4 separate buildings each with units sharing common walls. The applicant describes the architectural style of the project as modern Mediterranean, with elements such as hip and gabled roofs, recessed fascias and the use of exterior detailing, including window trim and faux shutters, wrought iron railings, and patios framed by columns having spherical capstones. Exterior materials include a smooth stucco finish with a cement plaster base, concrete tile roofing, and rigid foam moldings. Staff will work with the owner during building permit stage to achieve an attractive, comprehensive final colors and materials palette for the project.

Open Space/Landscaping: The site is currently vacant and does not contain any mature trees or plants. The proposal features a centrally located 1,427 square foot common outdoor open space for use by the project’s residents. The space will have two picnic tables, two barbecues, and be bordered by ornamental landscaping. The project’s frontage along Fremont Boulevard and entrance on Carol Avenue will also be fully landscaped, and new sidewalk planters will be constructed along the Carol Avenue frontage and be planted with street trees and a variety of plants.

Each unit will be provided with its own private outdoor patio directly outside the front door at the bottom of the stoop. The patios will each be enclosed with a short stucco wall capped with a decorative metal railing and capstones, and will measure approximately 100 square feet in area.

Site Circulation: Vehicular access to the development will be provided via a single driveway off Carol Avenue leading to a “T”-shaped private street (to be named Florio Terrace) in order to minimize curb cuts and maintain the existing streetscape along the busier Fremont Boulevard. The garages of each unit will open inward onto the private street, while the front entrances will open outward towards the northern and southern property lines. Pedestrian access to the entrances of each unit will be provided via a new public sidewalk along Carol Avenue and an internal walkway along the northern property line having gated access to Fremont Boulevard at the northeast corner of the site.

Street Right-of-way Dedication and Improvements: The project has approximately 140 feet of frontage along Fremont Boulevard and 300 feet of frontage along Carol Avenue. The developer is required to dedicate right-of-way and install street improvements in accordance with the Subdivision Ordinance and the Street Rights-of-way and Improvement Ordinance. The following outlines the street right-of-way dedication and improvement requirements for the project:

- Fremont Boulevard is designated in the General Plan as a major thoroughfare. Right-of-way dedication is not required and the full street improvements along the project frontage have been installed as part of a City public works project. Minor street improvements will be limited to installation of street trees, repair of existing damaged portions of curb, gutter & sidewalk, utility connections, and installation of truncated domes on the existing accessible ramp at the Carol Avenue intersection.
- Carol Avenue is designated in the General Plan as a residential collector street. As part of the subdivision, the project will dedicate 5.25 feet of right-of-way along Carol Avenue frontage and will install pavement, City standard curb, gutter, five-foot sidewalk, landscaping, irrigation, street trees, tree well filters, asphalt overlay and utility connections.

Grading & Drainage: The subject site is currently undeveloped. The parcel generally slopes up to the east and away from Fremont Boulevard and Carol Avenue and is approximately 1-2 feet higher in the northeast corner than the surrounding abutting street grades. It is bounded by existing condominiums to the north and a single-family residence to the east.

Grading for the project consists of creating level pads for all garages at each cluster of townhomes. These garages are generally level with the walk-up stoops at the front entrances. Steps from the front door entrance meet the interior staircase from the garages at mid-landing. The applicant's engineer estimates the total project grading to be 568 cubic yards of cut and 124 cubic yards of fill resulting in approximately 692 cubic yards of dirt being moved of which 444 cubic yards of dirt will be exported.

Except for the entrance from Carol Avenue, the private street (Florio Terrace) drains to a concrete valley gutter in the center of the street. Runoff from paved and roof areas will be treated in landscape-based treatment measures and stormwater treatment vaults before connecting to existing public storm drain facilities in Fremont Boulevard. The details of the proposed on-site storm drainage system and connection to public main will be included with the improvement plans for the project. The drainage system shall be subject to approval of the City Engineer and the Alameda County Flood Control and Water Conservation District.

Water Service and Water System: The project proposes to install multiple taps along the existing water main in Carol Avenue to serve all the townhouses including connections required for one on-site fire hydrant and an irrigation service. Water meters for each unit, including meters for irrigation, will be located in banks of 4-5 meters each behind the curb along the Carol Avenue frontage.

Urban Runoff Clean Water Program: The Alameda Countywide National Pollution Discharge Elimination System (NPDES) Municipal Stormwater Permit requires all new development to incorporate measures to prevent pollutants from being conveyed in storm water runoff and into the public storm drain system. This project is required to comply with the NPDES permit by incorporating treatment measures into the project design.

The project intends to meet the quantitative stormwater treatment requirements by installing five (5) below grade bio-retention planters to treat 53% of the total impervious area. The remainder of the site (46%) is being treated in a media based underground vault system. A small portion at the driveway entrance (1%) surface drains into Carol Avenue which is treated by tree well filters. Additionally, due to street widening along Carol Avenue, the applicant is installing two tree well filters to treat runoff along the Carol Avenue project frontage. The stormwater treatment design shall be integrated into the storm drain design for the project and shall be subject to review and approval of the City Engineer prior to final map approval.

As required by the Alameda Countywide NPDES Municipal Stormwater Permit, the property owners (or, collectively, their HOA) shall enter into a maintenance agreement for the long-term operation and maintenance of stormwater treatment measures. The agreement will require the ongoing maintenance of all the designated treatment facilities, including periodic replacement of media filter cartridges in the stormwater treatment vaults. The property owners shall also integrate a sidewalk and pavement sweeping program to help prevent debris and other pollutants from entering storm drains.

Geologic Hazards: The project site is within an area of potential Earthquake Induced Liquefaction Zone on the official Seismic Hazard Zone maps, released by the State Geologist. In accordance with the State law, the project geotechnical engineer prepared a seismic hazard report. The geotechnical report was peer-reviewed by the City of Fremont's consultant and approved by the City and filed with the State Geologist. The project improvements and building construction will conform to the recommendations of the seismic hazard report and peer review.

Affordable Housing

The development must adhere to the City's Affordable Housing Ordinance requirements as prescribed by Article 21.7 of the Zoning Ordinance. The applicant is required to either construct and dedicate three (3) units to the City's Affordable Housing Below Market Rate (BMR) program or pay the required in-lieu fees. Currently, the applicant plans to pay the in-lieu fees rather than construct the units as part of the development. In-lieu fees for the project are estimated to run between $\pm\$15.50$ and $\pm\$17.50$ per square foot of habitable floor area, resulting in a total required payment of more than \$500,000 toward the BMR program.

FINDINGS FOR APPROVAL

Planned District:

Pursuant to Section 8-21813 of the Municipal Code, the Planning Commission may recommend that the City Council adopt an ordinance establishing a new Planned District (or P district) if the following findings can be made:

- (a) The proposed P district, or a given unit thereof, can be substantially completed within four years of the establishment of the P district;
- (b) Each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; the uses proposed will not be

detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts;

- (c) The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P district;
- (d) The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
- (e) The P district is in conformance with the General Plan of the City of Fremont; and
- (f) Existing or proposed utility services are adequate for the population densities proposed.

Discussion:

- (a) It has been the City's experience that the design and type of the subdivision and housing product being proposed can easily be completed within four years. There is nothing unusual about the site and no significant environmental constraints exist which should cause significant delays during construction of the project.
- (b) The entire project consists of 22 residential units all sharing a single private street for vehicular access. As such, it will function as an individual, fully independent unit. The units will be part of an HOA which will be responsible for maintaining the architecture, landscaping, and other on-site and off-site improvements in a fully functional and aesthetically pleasing manner. In addition, the project has been designed to minimize impacts on adjacent development through the provision of landscaped setbacks and to provide an attractive street presence through the orientation of the exterior units toward Carol Avenue.
- (c) The project is estimated to generate 11 additional vehicle trips during the PM peak traffic hour and 128 total daily trips. Fremont Boulevard currently has a PM peak hour volume of 1,794 trips and an average daily volume of nearly 19,000 vehicle trips. As such, the project would increase the PM peak volume by 0.61% and the daily volume by 0.68%. These increases would have a negligible impact on traffic levels of the street network in the area.
- (d) The adjacent lands to the north, east and west all are zoned for residential apartment development, and can therefore be developed with similar-sized buildings having similar setbacks. The proposed development has been designed to be fully independent through the provision of a private dead-end street, so it will not conflict with adjacent improvements or land uses, or alter or otherwise impact existing circulation routes.
- (e) The Planned District will conform to the General Plan in that the proposed density of 22 units to the acre is consistent with the land use designation of Medium Density Residential 18-23 Units per Acre, and components of the project comply with various goals and policies of the Land Use, Housing, and Health and Safety Chapters of the General Plan as discussed in the "General Plan Conformance" section, above.

- (f) There are existing water, sewer, and public storm drain systems serving the area which are capable of accommodating the proposed development. The project site is located upstream of Laguna Creek, a special flood hazard area, and development of the site must therefore be engineered to limit post-development runoff to equal or lesser volumes than current runoff levels during both the 10-year and 100-year storm conditions in order to avoid impacting the downstream flood hazard area.

Vesting Tentative Tract Map:

In order to approve the proposed Vesting Tentative Tract Map, the subdivision must be found to be consistent with the General Plan, FMC Section 8-1418, and the Subdivision Map Act. Based on the analysis provided above, staff finds that the proposed vesting tentative map is in conformance with the General Plan, FMC Section 8-1418, and the Subdivision Map Act. However, if any of the following findings can be made, the vesting tentative tract map shall be denied. Staff was not able to make any of the findings to deny the map, and therefore recommends approval of the application.

- a. The map fails to meet or perform one or more of the requirements or conditions imposed by the Subdivision Map Act and Chapter 1 of the Zoning Code (Subdivisions);
- b. The proposed subdivision, together with the provisions for its design and improvements, is not consistent with applicable general and specific plans;
- c. The site is not physically suitable for the type or proposed density of development;
- d. The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- e. The design of the subdivision or the type or improvements is likely to cause serious public health problems; and
- f. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

CITY FEES

This project will be subject to citywide Development Impact Fees, including fees for fire protection, park facilities, park land, capital facilities and traffic facilities. All applicable fees shall be calculated and paid at the fee rates in effect at the time of building permit issuance. The applicant may elect to defer payment of the fees in accordance with the City's Impact Fee Deferral Program.

ENVIRONMENTAL REVIEW

An Initial Study and Draft Mitigated Negative Declaration (see Informational Item #1 and Exhibit "A") have been prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA). The environmental analysis identified concerns regarding potential significant

impacts to air quality and biological resources, as well as noise impacts from vehicular traffic on the dwelling units. The Draft Mitigated Negative Declaration includes mitigation measures, which, if implemented, would reduce the identified impacts to non-significant levels.

These measures include the implementation of dust control methods during grading and construction activities, pre-construction surveys for burrowing owl habitat not more than 30 days prior to commencement of ground-disturbing activities, and use of sound-rated construction materials for walls, and window and door openings that are exposed to high noise levels from vehicular traffic along Fremont Boulevard and Carol Avenue. The mitigation measures are included as conditions of approval for the project.

PUBLIC NOTICE AND COMMENT

Public hearing notification is applicable for the entitlements being requested. A total of 189 notices were mailed to all owners and occupants of property within 300 square feet of the site. The notices to owners and occupants were mailed on Friday, October 1, 2010. A Public Hearing Notice was published by *The Tri-City Voice* on Tuesday, September 28, 2010.

ENCLOSURES

Exhibits:

- Exhibit "A" [Draft Mitigated Negative Declaration and Mitigation Monitoring Program](#)
- Exhibit "B" [Rezoning Map](#)
- Exhibit "C" [Preliminary and Precise Planned District P-2010-272](#)
- Exhibit "D" [Vesting Tentative Tract Map No. 8054 and accompanying Private Street](#)
- Exhibit "E" [Recommended Findings and Conditions of Approval](#)

Informational Items:

- 1. [Initial Study](#)
- 2. [Colored renderings](#)

RECOMMENDATION

- 1. Hold public hearing; and

Recommend that the City Council:

- 2. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program, and find this action reflects the independent judgment of the City of Fremont;
- 3. Find that the Preliminary and Precise Plan for the project as depicted in Exhibit "C" (site plan, floor plans, elevations and landscape plans) and Exhibit "D" (tentative tract map, private street

and accompanying civil engineering plans) fulfills the applicable requirements set forth in the Fremont Municipal Code;

4. Approve a rezoning from P-2003-18 to P-2010-272 as depicted on Exhibit “B” (Rezoning Map); and
5. Approve the Preliminary and Precise Plan as shown on Exhibit “C”, as well as Vesting Tentative Tract Map No. 8054 and the accompanying Private Street as shown on Exhibit “D”, based upon the findings contained in this report and subject to the conditions of approval set forth in Exhibit “E”.

Existing Zoning

(Shaded Area represents the Project Site)



Existing General Plan Land Use Designation

(Shaded Area represents the Project Site)

